

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 23-34 are currently under consideration. Claims 11-22, 35 and 36 have been withdrawn from consideration. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner considers the subject matter of claims 24-34 as being allowable if rewritten in independent form. Though not conceding the appropriateness of the Examiner's rejections, claims 24 and 34 have been rewritten in independent form to include the limitations of claim 23. Accordingly, claims 24-34 are now in condition for allowance.

Rejection Under 35 U.S.C. § 102

Claim 23 stands rejected under 35 U.S.C. § 102 as being anticipated by either Mollier et al. (U.S. Patent No. 4,922,135) or Cooper et al. (U.S. Patent No. 5,049,841). These rejections are respectfully traversed.

In regard to Mollier et al., the Examiner points out that Figure 1 shows three FETS T17, T12 and T18 in parallel with each of the drains connected to a first node and each of the sources connecting to a second node. Cooper et al. shows a similar configuration having elements T31, T32 and T33.

Applicant submits that claim 23 as presently amended is not anticipated by either of these references. First, original claim 23 included a preamble which described the circuit as a time dependent dielectric breakdown test pattern circuit. Neither of the references cited by the Examiner show a test pattern circuit. Further, neither of the references discusses anything about a dielectric breakdown, and especially not a time dependent dielectric breakdown. In the present invention, the time required for the capacitor to breakdown is measured. This concept is not shown in either of the references.

By way of the present Amendment, Applicant has added a limitation to claim 23, that each cell has a capacitor with a dielectric layer whose breakdown time is being measured. Thus, this additional limitation describes both the structure of the cell as including the capacitor and also the function of the cell in measuring the breakdown time of the dielectric layer. Neither of the cited references include such a capacitor in the cell and also neither of the references functions to measure breakdown time of the dielectric layer. Accordingly, Applicant submits that claim 23 is allowable over these two references as well.

Conclusion

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections and allowance of all the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse (Reg. No.

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27,295) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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